

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*

Express Mail parcel label number EI273275562US, postmarked
March 20, 2012, weighing 1 pound 15.3 ounces, addressed to Carl
Smith, 15508 W. Bell Rd Suite 101, Surprise, Arizona 85374 with a
return address of Lonnie May, 982 Cambridge, Mason, Ohio 45040

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Case No.

1:12-MJ-1054

2012 MAR 22 AM 10:52
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
CINCINNATI
FILED
JAMES BONINI
CLERK

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

Express Mail parcel label number EI273275562US

located in the Southern District of Ohio, there is now concealed (*identify the person or describe the property to be seized*):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section	Offense Description
841 (a) (1), 843 (b) & 846	Conspiracy to distribute a controlled substance
	Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector O'Neill

- Continued on the attached sheet.
- Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature

Karen L. O'Neill, U. S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 3/22/12

Judge's signature

Honorable Stephanie K. Bowman
United States Magistrate Judge

Printed name and title

City and state: Cincinnati, Ohio

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI, OHIO

STATE OF OHIO)
)
COUNTY OF HAMILTON) SS
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AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, KAREN O'NEILL, HAVING BEEN DULY SWEORN, DEPOSE AND STATE: I am a United States Postal Inspector, having been so employed since March 2003. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the Postal Inspection Service with investigative responsibility for Southwest Ohio, Northern Kentucky, and Southeast Indiana. Part of my investigative responsibility involves the use of the United States Mail in the transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.

Your affiant has become aware that drug traffickers frequently use Express Mail, a business-oriented overnight service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances, and their proceeds or instrumentalities from the sale of the controlled substances. Your affiant has also become aware that drug traffickers frequently use Priority Mail with delivery confirmation, a 2-3 day service offered by the United States Postal Service. In this affidavit, "the Mail" refers interchangeably to either Express Mail or Priority Mail. As a result of investigations and successful controlled substance prosecutions where the Mail was used, your affiant has learned of certain characteristics indicative of other Mail items previously identified as containing narcotics or other dangerous controlled substances, their proceeds or instrumentalities from the sale of the controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, the mailer using different post offices on the same day to send parcels, false or non-existent return address, addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains

misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

In February 2012, your affiant began an investigation involving the use of the mail to ship narcotics or their proceeds between Cincinnati, Ohio and the Phoenix, Arizona area, a known drug source location. Your affiant knows of at least nine Express Mail parcels that were mailed between January 23, 2012 and March 12, 2012 addressed to Carl Smith, 15508 W. Bell Rd, Suite 101, PO Box 213, Surprise, Arizona 85374. Seven of the Express Mail labels have a return address of 982 Cambridge, Mason, Ohio 45040 with the six of the labels having "Lonnie May" as the sender and one of the labels "Keith Ballard" as the sender.

Your affiant did a check in Accurint on the return address 982 Cambridge, Mason, Ohio 45040. Accurint is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to Accurint, "Lonnie May" and "Keith Ballard" are not associated with 982 Cambridge, Mason, Ohio 45040.

Your affiant contacted the Main Post Office, Cincinnati, Ohio and the Cincinnati Processing and Distribution Center (P&DC) and requested to be contacted when an Express Mail parcel is mailed to 15508 W. Bell Rd Suite 101, PO Box 213, Surprise, Arizona 85374.

On March 6, 2012, your affiant did a check in Accurint on the addressee address 15508 W. Bell Rd Suite 101, Surprise, Arizona 85374. According to Accurint, 15508 W. Bell Rd Suite 101, Surprise, Arizona 85374 is a UPS Store location.

On March 6, 2012, your affiant contacted a supervisor at the Mason Post Office, Mason, Ohio regarding the return address 982 Cambridge, Mason, Ohio 45040.

On March 10, 2012, your affiant learned that "Lonnie May" and "Keith Ballard" did not receive mail at 982 Cambridge, Mason, Ohio 45040.

On March 20, 2012, your affiant was contacted by a clerk at the Cincinnati P&DC regarding an Express Mail parcel addressed to 15508 W. Bell Rd Suite 101, PO Box 213, Surprise, Arizona 85374. The clerk stated that the parcel was addressed to Carl Smith and had a return address of Lonnie May, 982 Cambridge, Mason, Ohio 45040. Your affiant requested the parcel be placed in a secure area for further investigation.

On March 21, 2012, your affiant obtained the aforementioned Express Mail parcel from the Cincinnati P&DC. Express Mail parcel label number EI273275562US is addressed to Carl Smith, 15508 W. Bell Rd, Suite 101, PO Box 213, Surprise, Arizona 85374 with a return address of Lonnie May, 982 Cambridge, Mason, Ohio 45040.

On March 21, 2011, your affiant contacted the Mason Post Office, Mason, Ohio regarding the return address Lonnie May, 982 Cambridge, Mason, Ohio 45040. Your affiant spoke to the mail carrier and confirmed that "Lonnie May" did not receive mail at 982 Cambridge, Mason, Ohio 45040. The carrier also stated that he had never seen that name receive mail at 982 Cambridge.

On March 21, 2012, the Cincinnati Police Department Narcotics Unit was contacted to arrange for a narcotic canine to check the package. Officer Phil Stoup responded to the Cincinnati Postal Inspection Service office, Cincinnati, Ohio where the parcel was placed in a controlled area and presented to narcotic canine, "Max". "Max" alerted positively to the presence or odor of a controlled substance or their proceeds or instrumentalities upon Express Mail parcel label number EI273275562US addressed to Carl Smith, 15508 W. Bell Rd, Suite 101, PO Box 213, Surprise, Arizona 85374. Attached herewith, and made part hereof by reference, is a photocopy of the narcotic canine handler's record of examination.

The parcel is further identified as follows: a U.S. Postal Service Express Mail cardboard box 13" x 3" x 15" in size, bearing Express Mail parcel label number EI273275562US, weighing 1 pound, 15.3 ounces, postmarked March 20, 2012; see address information below:

Sender: Lonnie May
982 Cambridge
Mason, Ohio 45040

Addressee: Carl Smith
15508 W. Bell Rd Suite 101
PO Box 213
Surprise, Arizona 85374

This information, along with the positive alert of narcotic canine "Max" is indicative of a drug package or their proceeds.

Based on the information contained herein, your affiant believes that contained in Express Mail parcel label number EI273275562US is a quantity of a narcotic or other dangerous controlled substance, their proceeds or instrumentalities.

Therefore, a search warrant to open the parcel is requested.

Further, your affiant sayeth naught.

Karen O'Neill

Karen O'Neill
Postal Inspector

Subscribed and sworn to and before me this 22 day of March, 2012.

Stephanie K. Bowman

Honorable Stephanie K. Bowman
United States Magistrate Judge



United States Postal Inspection Service
Pittsburgh Division

OFFICER AFFIDAVIT

I, Officer P. Stoup, am and have been employed by the CINCINNATI POLICE DEPT since 1993. Among other duties, I am currently the assigned handler of narcotics detection canine "MAY" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

MARIJUANA, COCAINE, HEROIN, METH

On 3-21-12, at the request of Postal Inspector K. O'Neill, I responded to Cincy Postal Inspectors office, where "MAY" did alert to and indicate upon: [describe item]

Empanel #273275562 US addressed to Carl Smith,
15509 W Bell Rd Suite 101, Po Box 213 Surprise Arizona 85374
with a return address Lonnie May, 982 Cambridge Major Ohio
45050

Which, based upon my training and experience and that of "MAY", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

P. Stoup 3-21-12
(Signature and Date)

K. O'Neill 3-21-12
(Signature and Date)